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21 (07-06) 0651-0031

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·		Application Number	10/552,154-Conf. #9213
TRANSMITTAL		Filing Date	October 11, 2005
FORM		First Named Inventor	Hiromu Ueshima
(to be used for all correspondence after	initial filing)	Art Unit	2153
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submissi	ion	Attorney Docket Number	04995/240001
EN	CLOSURES	(Check all that app	(v)
			· <b>y</b> /
X Fee Transmittal Form	Drawing(s)		After Allowance Communication to TC
X Fee Transmittal Form  X Fee Attached			After Allowance Communication
<del> </del>	Drawing(s)		After Allowance Communication to TC  Appeal Communication to Board of
x Fee Attached	Drawing(s)  Licensing-rel	ated Papers	After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC
X Fee Attached  Amendment/Reply	Drawing(s)  Licensing-rel  X Petition  Petition to Co Provisional A  Power of Attor	ated Papers	After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

 J Identify below): Statement Pursuant to 37 C.F.R. Section Request for Refund **Express Abandonment Request** 1.497 (1 page) Consent of Assignee (1 page) Information Disclosure Statement CD, Number of CD(s) Statement Under 37 CFR 3.73(b) (1 page) Declaration and Power of Attorney (3 Certified Copy of Priority Landscape Table on CD pages) Document(s) Reply to Missing Parts/ Remarks Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name OSHA · LIANG LLP Signature #45,079 Printed name THOMAS SCHERER Jonathan P. Osha Date Reg. No. August 15, 2006 33,986

PTO/SB/17i (07-06)
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# PROCESSING FEE **Under 37 CFR 1.17(i) TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Application Number	10/552,154-Conf. #9213
Filing Date	October 11, 2005
First Named Inventor	Hiromu Ueshima
Art Unit	2153
Examiner Name	Not Yet Assigned
Attorney Docket Number	04995/240001

Enclosed is a paper filed under 37 CFR Payment of \$ 130.00 is enclosed.	1.497(d)	that requires a processing fee (37 CFR 1.17(i)).
	ned paper and f 37 CFR 1.17(f), (	faxed or mailed to the Office using the appropriate Mail Stop, (g) or (h), see form PTO/SB/17p.
Payment of Fees (small entity amounts are NO	OT available for	the processing fees)
The Commissioner is hereby authorized to processing fee under 37 CFR 1.  Enclose a duplicative copy of this form fo	.17(i) X	any deficiency of fees and credit of any overpayments
Check in the amount of \$		
X Payment by credit card (Form PTO-2038 c	or equivalent en	aclosed). Do not provide credit card information on this form.
Processing Fees under 37 CFR 1.17(i): Fee \$		e Code 1808 for all, cept for §1.221 papers (Fee Code 1803)
For papers filed under:		
by §1.63, except in provisional applications § 1.48 – for correcting inventorship, except in provision § 1.52(d) – for processing a nonprovisional application § 1.52(d) – for processing a nonprovisional application filed § 1.55 – for entry of late priority papers. § 1.71(g)(2) – to enter an amendment to the specificat § 1.99(e) – for processing a belated submission under § 1.103(b) – for requesting limited suspension of action § 1.103(d) – for requesting limited suspension of action § 1.103(d) – for requesting deferred examination of an § 1.217 – for processing a redacted copy of a paper suthe patent application publication. § 1.221 – for requesting voluntary publication or repub § 1.291(c)(5) – for processing a second or subsequent	tor or inventors after.  In al applications.  In filed with a specification of the specification for purposes of 1.59.  In continued prose of 1.59.  In continued	ication in a language other than English. to a nonprovisional application under §1.53(b).  If 35 U.S.C. 103(c)(2) if not filed within the cited time periods examination (§ 1.53(d)). Indeed examination (§ 1.114).  In application in which a redacted copy was submitted for examination. Fee Code 1803 In real party in Interest. In a prescribed  In a language other than English. In a
18 #45,	079	August 15, 2006
Signature THE		
4 Jonathan P. Osha		33,986  Registration No., if applicable
₩yped or printed name		Negistration No., il applicable



Application No. (if known): 10/552,154

Attorney Docket No.: 04995/240001

# Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV804214555US in an envelope addressed to:

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on	August 15, 2006
	Date

Brends C Mc Fadler		
Signature	9	
Brenda C. McF	adden	
Typed or printed name of pers	son signing Certificate	
	(713) 228-8600	
Registration Number, if applicable	Telephone Number	

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page) Transmittal (1 page)

Petition to Correct Inventorship Under 37 C.F.R. Section 1.497(d) (2

pages)

Statement Pursuant to 37 C.F.R. Section 1.497 (1 page)

Consent of Assignee (1 page)

Statement Under 37 CFR 3.73(b) (1 page) Declaration and Power of Attorney (3 pages) Copy of Executed Assignment (3 pages)

Payment by credit card. PTO Form 2038 attached (1 page)

Charge \$130.00 to credit card

Application No.: 10/552,154 Docket No.: 04995/240001

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hiromu Ueshima et al.

Application No.: 10/552,154

Confirmation No.: 9213

Filed: October 11, 2005

Art Unit: 2153

For: DATA DELIVERING SYSTEM, DATA

ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM Examiner: Not Yet Assigned

#### PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.497(d)

MS PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The oath and declaration filed pursuant to 35 U.S.C. 371(c)(4) for the referenced application names an inventive entity different from the inventive entity set forth in International Application PCT/JP2004/009763 (hereafter "International Application"), from which the referenced application is based. Specifically, Katsuya Nakagawa was not named as a joint inventor in the International Application.

In view of the above, the Applicants respectfully petition to correct the inventorship of the referenced application. Pursuant to 37 C.F.R. §1.497(d), the Applicants have enclosed the fee pursuant to 37 C.F.R. §1.17(i) and the following documents:

- (1) A statement from Katsuya Nakagawa that any error in inventorship in the International Application occurred without deceptive intention on his part;
- (2) The written consent of the assignee; and
- (3) A new oath and declaration signed by Hiromu Ueshima and Katsuya Nakagawa.

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08/17/2006 WABDELR1 00000093 10552154

Application No.: 10/552,154 Docket No.: 04995/240001

Applicants believe that the aforementioned documents and fee fully comply with the requirements setout in 37 C.F.R. §1.497(d) to correct inventorship of the referenced application. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. In addition, please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 004995/240001).

Dated: August 15, 2006

Respectfully submitted,

Jonathan P. Osha THOMAS SCHER

Registration No.: 33,986 OSHA · LIANG LLP

1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)

Application No.: 10/552,154

AUG 1 5 2006

Docket No.: 04995/240001

Date: July 24, 2006

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hiromu Ueshima et al.

Application No.: 10/552,154

Confirmation No.: 9213

Filed: October 11, 2005

Art Unit: 2153

For: DATA DELIVERING SYSTEM, DATA

ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM

Examiner: Not Yet Assigned

#### STATEMENT PURSUANT TO 37 C.F.R. § 1.497

Dear Sir:

I, the below named inventor whose full residence, post office address, and citizenship are stated next to my name, hereby state that I am an original and joint inventor of the aforementioned International Application PCT/JP2004/009763, upon which the referenced application is based. I was not named as an inventor in International Application PCT/JP2004/009763, from which the referenced application is based. The aforementioned error in inventorship was made without deceptive intent.

Full Name of Inventor: Katsuya Nakagawa

Residence: Shiga, Japan

Citizenship: Japan

Post Office Address: c/o SSD Company Limited 3-3-4 Higashiyagura, Kusatsu-city

Shiga Japan 525-0054

#### **CONSENT OF ASSIGNEE**

The undersigned assignee of the entire interest in the above-identified application hereby assents to the accompanying statement for correction of inventorship. The assignment of the undivided interest in the above-identified application to the undersigned assignee was executed on August 8, 2005, and filed with the referenced application on October 11, 2005. A copy of the executed assignment, as filed, is attached.

SSD Company Limited

Date: July 24, 2006

Name: Katsuya NAKAGAWA

Title: President

Enclosure (Copy of the Executed Assignment)



# Osha · Liang

### **ASSIGNMENT**

譲渡証

本証末尾に署名した者(以下、「発明者」という) は、適正・相当な対価を受領しており、それが十分な 対価であることを認識した上で、

(氏名または組織名)

(住所)

(以下「会社」という)と、その承継人および譲受人 に対して、

(発明の名称)

という名称で知られ、アメリカ合衆国において末尾署名者が特許申請をした発明(以下、「発明」という)にかかるアメリカ合衆国(その属領、支配地を含むがこれに限らない)におけるすべての権利、権原および利権を、当該特許申請、その分割、継続、一部継続、再発行及び延長、並びに、それらに対して与えられる全ての米国特許証とともに譲渡する。かかる利権とは、「会社」、その承継人、譲受人、またはそれらの法的代理人の上記申請に対する、及び、特許証が与えられたときはそれに対する、本譲渡が行われなかった場合に「発明者」に対して特許証が与えられ、また延長されることにより享受しうると同一の期間にわたる完全な所有権を意味する。

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned individual(s) (referred to herein as "INVENTOR(S)") hereby assign, transfer and set over to:

#### SSD COMPANY LIMITED

having the following address:

3-3-4, Higashiyagura, Kusatsu-city, Shiga, 525-0054, Japan

(referred to herein as "COMPANY"), its successors and assigns, the entire right, title, and interest for the United States of America (including without limitation its territories and possessions) in and to the invention known by the following title:

DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM

for which the undersigned has/have executed an application for patent in the United States of America (referred to herein as "INVENTION"), together with said patent application, all divisions, continuations, continuations-in-part, reissues, and extensions thereof, and all United States Letters Patent which may be granted therefor. Such interest represents the entire ownership of said applications and Letters Patent when granted and is to be owned by COMPANY, its successors, and assigns, or their legal



# Osha · Liang

さらに、本証末尾に署名した発明者は、それぞれ、以下のとおり同意する。

- 1. 発明」に関するアメリカ合衆国における特許申請の出願に関して、更に必要な又は望ましく、適法かつ適切な書類に署名、執行すること。これには、上記申請及びそれらの分割、継続、一部継続、修正を全て含み、更に、それらに関するインターフェアレンス手続、その他「会社」が権限を保持するために必要もしくは望ましいものが含まれるが、その限りではない。
- 2. 工業所有権の保護に関する国際条約またはそれに類する条約や協定の下で優先権の主張その他のために必要な、書面、書類の執行及び合法的行為を遂行すること。
- 3. 有効かつ強制力のある特許を「会社」が得るために必要なあらゆる合法かつ積極的な行為をすること。

本証末尾に署名した「発明者」は、それぞれ、アメリカ合衆国特許商標庁長官に対して、当該特許申請(それに基づくすべての分割、継続、一部継続、再発行申請を含むがそれに限らない)から生じるすべての特許証を「会社」に対して発行するよう授権し、かつ、請願する。

本証末尾に署名した「発明者」は、それぞれ、本証の登記にあたりアメリカ合衆国特許商標庁の規則に従って必要もしくは望ましい識別情報を本譲渡証に挿入する権限をオーシャ・リャン法律事務所に 授与する。

In addition, the undersigned INVENTOR(S) each hereby agrees:

- 1. To sign and execute any further documents which may be necessary or desirable, lawful and proper in connection with the prosecution of all applications for patent(s) on the INVENTION in the United States, including without limitation said application and all divisions, continuations, continuations in part, amendments thereof, and all interference proceedings associated therewith, or otherwise necessary or desirable to secure the title thereto to COMPANY;
- To execute all papers and documents and to perform all lawful acts which may be necessary in connection with claims to priority or otherwise under the International Convention for the Protection of Industrial Property or similar treaties or agreements;
- To perform all lawful affirmative acts which may be necessary to obtain the grant of a valid and enforceable patent to COMPANY;

The undersigned INVENTOR(S) each hereby authorizes and requests the Commissioner of Patents and Trademarks in the United States to issue any and all Letters Patent resulting from said application, including without limitation any division, continuation, continuation-in-part, or reissue thereof to COMPANY.

The undersigned INVENTOR(S) each hereby grants to the firm of OSHA • LIANG LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the Unites States Patent and Trademark Office for the recordation of this document.



# Osha • Liang

IN

WITNESS

Assignment has been executed by each of the undersigned individuals on the date appearing by

WHEREOF,

this

以上を確認の上、下記の者が下記署名に並んで記された日に各自署名して本譲渡証を発効させた。

		such individual's signature	
	(署名)		
年月日	氏名(楷書):	August 8, 2005 Date	Name: Hiromu UESHIMA
	(署名)		L. Malson
年月日	氏名(楷書):	Aug <u>ust 8, 200</u> 5 Date	Name: Katsul NAKAGAWA
	(第名)		
年月日	氏名(楷書):	Date	Name:
	(署名)	 Date	Name:
年月日	氏名(楷書):	Date	:
	(署名)	Date	Name:
年月日	氏名(楷書):		
	(署名)	Date	Name:
年月日	氏名(楷書):		
本譲渡証に	<b>まアメリカ合衆国のいずれかの州の公証人また</b>	This Assignmen	t may be signed before a Notary
	<b>署名する2名の証人の面前で署名されるものと</b>		the States of the United States or sees who sign below:
する。			
———— 年月日	(署名) 氏名 (楷書):	Date	Name:
<b>T</b> A H	人心 (相首)。		
	(署名)	Date	Name:
年月日	氏名(楷書):		
本譲渡証が	な特許申請書と同時に提出 <u>されなかった</u> 場合、	Where this Assign	ment is not filed concurrently with the
	情報が <u>後に</u> 追加されるものとする。	patent application,	the following identifying information may
	ソリアル番号:	be added <u>after</u> exec	ution:
申請日:		U.S. Application	Serial No.:
		Filing Date:	

PTO/SB/96 (12-05) Approved for use through 07/31/2006. OMB 0651-0031

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#### STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: SSD Company Limited Application No./Patent No./Control No.: 10/552,154 Filed/Issue Date: October 11, 2005 DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM Entitled: SSD Company Limited (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) states that it is: x the assignee of the entire right, title, and interest; or an assignee of less than the entire right, title and interest. (The extent (by percentage) of its ownership interest is in the patent application/patent identified above by virtue of either: An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel , or a true copy of the original assignment is attached. OR A chain of title from the inventor(s), of the patent application/patent identified above, to the current B. assignee as follows: The document was recorded in the United States Patent and Trademark Office at , Frame , or for which a copy thereof is attached. The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_ , Frame \_\_\_\_\_ , or for which a copy thereof is attached. 3. From: To: The document was recorded in the United States Patent and Trademark Office at , Frame , or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08] The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. President 2006 Katsuya NAKAGAWA Date Telephone Number Authorized Signer for Assignee Title

# **Declaration and Power of Attorney for Patent Application**

## 特許出願宣言書及び委任状

## Japanese Language Declaration

日本語宣言書 As a below named inventor, I hereby declare that: 私は、以下に記名をれた発明者として、ここに下記の遊り宜言する: My residence, post office address, and citizenship are as stated 私の住所、郵便の宛先そして国難は、私の氏名の餐に記載された道 next to my name. りである。 I believe I am the original, first and sole inventor (if only one 下記の名称の発明について、対許請求相匹に記載され、且つ特許が 求められている発明主題に関して、払は、最初、最先且つ唯一の是明 者である(唯一の氏名が記載されている場合)か、双いは最初、最先 且っ八は異明者である(複数の氏名が記載されている場合)と思じて name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DATA DELIVERING SYSTEM, DATA ACQUISITION DEVICE, WRITING DEVICE, DATA ACQUISITION PROGRAM, DATA ACQUISITION METHOD, RECORDABLE MEDIUM, DATA DELIVERING DEVICE AND CONTENT DELIVERING SYSTEM DEVICE AND CONTENT DELIVERING SYSTEM the specification of which is attached hereto unless the 上記発明の明経費はここに添付されているが、下記の**程**がチェック されている場合は、この限りでない: following box is checked: の目に出題され、 x was filed on 07/02/2004 х 07/02/2004 as United States Application Number or この出版の米国出版番号またはPCT国際出版器号は、 PCT International Application Number PCT/JP2004/009763 and was amended on であり、且つ PCT/JP2004/009763 (if applicable). の日に被正をれた出版(該当する場合) I hereby state that I have reviewed and understand the contents of 払は、上記の補止異によって補助された、特許無求配置を含む上記 所知義を検討し、且つ内容を理解していることをここに表明する。 the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material 私は、連邦規則法典第37編規則1.56に定義されている。 特許 住について世級な情報を買示する表容があることを認める。 to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

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#### Japanese Language Declaration (日本語宜言書)

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number).

Attorneys associated with Customer Number 22511

Attorneys associated with Customer Number 22511

22511

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조되려면 Address associated with Customer Number 22511

Send Correspondence to:
Address associated with Customer Number 22511

西迪亚馬勒格先: (氏名及罗耳斯爾男) Jonathan P. Osha, (713) 228-8600 Direct Telephone Calls to: (name and telephone number)
Jonathan P. Osha, (713) 228-8600

Full name of sole or first inventor 唯一または第一発明省氏名 Hiromu Ueshima Hiromu Ueshima Date 日付 Inventor's signature 発明者の署名 July 24, 2006 Residence 位所 Shiga, Japan Shiga, Japan Citizenship 戊粮 Japan Japan Post Office Address 郵便の宛先 c/o SSD Company Limited c/o SSD Company Limited 3-3-4, Higashiyagura, Kusatsu-city 3-3-4, Higashiyagura, Kusatsu-city Shiga 525-0054 Shiga 525-0054 JAPAN **JAPAN** 

第三共同発明者がいる場合、その氏名 Katsuya Nakagawa	Full name of second joint inventor, if any Katsuya Nakagawa
第二共同発明者の署名 日付	Second inventor's signature Date July 24 2006
位所	-Résidence
Shiga, Japan	Shiga, Japan
区籍	Citizenship
Japan	Japan
郵便の宛先	Post Office Address
c/o SSD Company Limited	c/o SSD Company Limited
3-3-4, Higashiyagura, Kusatsu-city	3-3-4, Higashiyagura, Kusatsu-city
Shiga 525-0054	Shiga 525-0054
JAPAN	JAPAN

(第三以下の共同発明者についても阿妹に記載し、 景名を すること) (Supply similar information and signature for third and subsequent joint inventors.)